

MEMORANDUM FOR RECORD

PROBLEM:

1. To comment on the proposed US-Canadian agreement of exchange of COMINT matters.

FACTS AND DISCUSSION

2. By memorandum for members of USCIB, dtd 17 May 48, subject, "Proposed US-Canadian Agreement", the Coordinator of Joint Operations requests comment and/or concurrence in the draft of a letter prepared by Mr. Grean for signature by the Chairman of the Canadian Communications Research Committee (CRC). It is planned that the letter be informally coordinated and accepted by USCIB to insure that when signed and dispatched by the Chairman of CRC, the Chairman of USCIB can dispatch a concurring reply immediately.

3. By memorandum for members of USCIB, dtd 24 May 48, subject, "Amendment to Proposed Canadian Letter of Exchange", the Coordinator of Joint Operations advises the members of USCIB of a rewording, as proposed by Chairman of USCIB, of a paragraph 6 of the letter, drafted by Mr. Grean.

4. On reviewing the drafted letter with amended paragraph, it is considered that with the exception of paragraphs 5, 6a, and 17, the letter is acceptable as drafted.

5. In paragraph 5 the term "Communication Intelligence Matters" is defined in vague language. The British-United States Communication Intelligence Agreement (BRUSA) defines "Communication Intelligence" in very clear language. In the interest of clarity of understanding with the Canadians, and to insure that the understanding is the same as with the British, it is believed that substantially the same language as is used in the BRUSA should be used in the agreement with the Canadians.

6a. If the term "Communication Intelligence Matter" is eliminated from paragraph 5 and the BRUSA definition used, the title of paragraph 6 should be changed to read "Extent of Exchange of Information Related to Communication Intelligence".

b. The use of the BRUSA definition will require that the introduction to paragraph 6 be changed to "The Two Communication Intelligence authorities will exchange the following information on the basis indicated:".

basis

c. The introduction to paragraph 6a uses the expression "any published summaries of translations". There are no summaries of translations published. It is believed that this expression refers to gists. If this is the case, the word "gists" should be substituted for the expression.

d. It is considered that the provisions of paragraph 6 (a) (ii) will result in the complete exchange of all information. The Canadians have no information to exchange. The advantages to be gained by complete exchange, are far outweighed by the disadvantage of a wider dissemination of the information. It is believed that this subparagraph should be rewritten to provide for the exchange of information on a "need to know" basis as determined by the originating authority.

- d. It is considered that the provisions of paragraph 6 (a) will result in the complete exchange of all information. The Canadian have no information to exchange. The advantages to be gained by complete exchange, are far outweighed by the disadvantage of wider dissemination of the information. It is believed that subparagraph (i) should be rewritten to restrict the exchange of information to meet the requirements for assistance on mutually agreed COMINT activities and that subparagraph (ii) should be rewritten for the exchange of information on a "need to know" basis as determined by the originating agency.

7. While there is no objection to the assumption that there will be liaison officers as stated in paragraph 17, it is believed that the assumption should be qualified in such a manner as to permit control of the activities of the liaison officers.

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8. Sign and dispatch attached memorandum for the CJO. The memorandum recommends the changes indicated in paragraphs 5, 6, and 7 above.

TRANSCRIBED PAGES FOLLOW

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